SOUTHE	STATES DISTRICT COURT RN DISTRICT OF INDIANA IANAPOLIS DIVISION	cause. Counsel shall supplement this filing within 14 days to specify what prior attempts at service were made, as well as any other bases Plaintiff contends constitute good faith in failing
MICHAEL ROSS,)	to timely effect service.
Plaintiff,)))	Tim A. Baker U.S. Magistrate Judge August 17, 2009
vs.) CASE NO. 1:08-0	CV-1155-LJM-TAB
TOWN OF PLAINFIELD, INDIANA, POLICE OFFICER JASON WILSON, in his individual capacity; and TOWN OF PLAINFIELD, INDIANA,))	
Defendants.	<i>)</i>)	

This response fails to establish good

NOTICE REGARDING SERVICE AND REQUEST FOR EXTENSION OF RULE 4(m) TIME LIMIT FOR SERVICE OF PROCESS

Plaintiff Michael Ross, by counsel, files his Notice Regarding Service in response the Court's Notice of TR 41(E) deadline, and in support hereof states as follows:

- 1. The Complaint was filed on August 28, 2008.
- 2. Undersigned counsel left the Harrington firm, which filed the Complaint, in September of 2008.
 - 3. A review of the file shows no return of service from either Defendant.
- 4. Plaintiff has reissued, by certified mail, another attempt on service to the Town of Plainfield and to Jason Wilson, contemporaneous with the filing of this notice.
- 5. Service, if perfected, will be outside the 120 day period described in FRCP Rule 4(m). However, Plaintiff would show good cause for his failure to perfect service, particularly given the transfer of the file from one firm to another, as well as previous good faith attempts to achieve service. Plaintiff requests that the Court invoke its authority under Rule 4(m) to extend the period for service for an appropriate period.

WHEREFORE, Plaintiff Michael Ross, by counsel, provides notification to the Court of failure to achieve service to-date, requests an extension of time for an appropriate period, thirty (30) to sixty (60) days, in which to achieve service, and requests that the Court remove the matter from the Rule 41(E) docket pending service of and answer to the pleadings.

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